

City of La Verkin

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La Verkin City Council Meeting Minutes Wednesday, January 6, 2016 6:00 p.m. Council Chambers, 111 S. Main, LaVerkin, Utah

Present: Mayor Kerry Gubler; Council Members: Chantelle Browning, Richard Hirschi, Ken Hooten, Micah Gubler, and Randy Reeve; Staff: Kyle Gubler, Derek Imlay, Troylinn Benson, Kevin Bennett, Chief Ben Lee and Christy Ballard; Public: John & Rose Valenti, HoneyBee Brenchly, Toni Imlay & Family, Stephen Iverson, Grant Thornton, La Grande & Helene Imlay, Tiffany Mower, Judge Myers & Family, Patti Dekker, and Blair Gubler.

A. Called to Order – Invocation and the Pledge of Allegiance was given by Ken Hooten at 6:00pm.

B. Recognitions:

1. Rayn was not able to attend the meeting.
2. Derek Imlay was presented with the Employee of the Year award along with a gift certificate.

C. Appointments:

1. Judge Myers administered the Oath of Office to the newly elected Councilmembers along with Kyle Gubler as the City Recorder and Troylinn Benson as the City Treasurer.
2. Appointments to Boards, Commissions and Committees.
Planning Commission: Allen Bice reappointment, Gary McKell-Alternate 1, and Mitch Stackhouse Alternate 2.
Board of Adjustments: Amber Crouse reappointment and Ken Cox.
Board of Appeals: Lynn Maxwell, Sid Johnansen reappointment, Patty Bracken and Steve Lisonbee.
Water Board: Anna Andregg reappointment and Richard Prince.

Motion was made by Councilmember Ken Hooten to accept the names recommended for the various Boards and Committees, second by Councilmember Richard Hirschi. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

D. Presentation:

1. Tiffany Mower-Victim Service Coordinator
Tiffany reported the numbers have maintained, she doesn't have a year-end number yet but will for her next presentation in July.
Victim Service has a new victim soft room. This room is a secure place where the victim can go that does not feel like a police station.
Tiffany had the idea of a soft room after dealing with a person what was in shock after a friend of was murdered. The State Department that funds the grants for Victim Services liked the idea. In fact, they are using Hurricane Valley Victim Services as the model for victim soft rooms.
The room was completed about a week ago and has already been used over 10 times.
Tiffany showed before and after pictures of the new victim soft room.
Tiffany read the list of sponsors.
The next project she is working on is a resource room for victims who don't have access to a computer or printer.
They are in the process of training a new volunteer; she is doing a great job so far.
Victim Services has come a long way in the last 7 years and continues to move forward.

Tiffany thanked law enforcement for all of their support.

E. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Agenda
3. Minutes: December 2, 2015, regular meeting minutes.
4. Review Invoices and Checks: \$112,730.34

Motion was made by Councilman Richard Hirschi to approve the consent agenda as written, including the December 2, 2015 regular meeting minutes and checks and invoices in the amount of \$112,730.34, second by Councilman Ken Hooten. Roll Call Vote: Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

F. Committee Reports:

1. Planning Commission-Councilman Hirschi reported the next meeting would be January 27.
2. Water Board-Mayor Gubler reported they would meet at the end of the month.
3. Sewer Board-Blair reported the majority of lines in La Verkin have been cleaned. They will finish the project when the weather gets a little better. The District will be back to clean the lines again in 18 months.
The District is glad to have Councilman Hooten on the Board.
Blair thanked Councilman Hirschi for his service. He did a great job.
The budget was passed at the last meeting.
4. Fire District-Councilman Hooten reported the budget was approved. The old Chairman, Mayor Bruce Densley from Virgin was reappointed.

G. Citizen Comment & Request for Future Agenda Items:

Grant Thornton-He lives across the street from Chief Ben Lee. Last summer, on a Saturday, he observed the City 1-ton pickup truck with a trailer and a bobcat being used for the benefit of Officer Lee. He was told the City needed the pea gravel and dirt. If that was true, why was the La Verkin City logo covered up?

On a Saturday in December, he observed Chief Lee in his police vehicle with his daughter. They had been out of the City in his truck picking up material to cover his ATV's. There have been numerous occasions where he has seen Chief Lee transporting his children in his company vehicle. He does not believe those things are appropriate.

Steven Iverson-he received a notice concerning his miniature goats. The way he reads the Code, goats count as a medium animal. His goats are only 2 feet tall and he does not consider them full sized animals. He would like the City Council to re-evaluate the Code, perhaps coming up with a different point system. He has three goats and that is all he plans on having.
Steven described the size of area the goats live in and said there is a six-foot fence around that area. He is not aware of any complaints from the neighbors.

Councilman Reeve is aware of the situation and agreed that the Code does need to be updated.

Honeybee Brenchly-Is not a resident of La Verkin but volunteers at the animal shelter. She has spoken to the Councilmembers before about the cat situation in La Verkin. She has tried to move forward by coming up with a plan. Patti Decker can report on that plan.

Honeybee read a letter from an individual regarding a cat issue she encountered (see attached letter). Honeybee also had the invoice for the vet bill for the cat, which she gave to the Councilmembers. She doesn't feel a regular citizen should be responsible for the bill.

H. Business:

1. Discussion and possible action to approve Resolution R-2016-01; A resolution approving the designation of a representative (Councilman Randy Reeve), to serve on the Administrative Control Board of Washington County Special Service district No. 1 for the calendar year 2016 or until such time as a successor has been appointed, and establishing an effective date.

Motion was made by Councilman Ken Hooten to approve Resolution R-2016-01, a resolution approving the designation of a representative, Councilman Randy Reeve, to serve on the Administrative Control Board of Washington County Special Service District No. 1 for the calendar year 2016 or until such time as a successor has been appointed, and establishing an effective date, second by Councilwoman Chantelle Browning. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

2. Discussion and possible action to approve Resolution R-2016-02; A resolution approving the designation of a representative (Councilwoman Chantelle Browning), to serve on the Southwest Mosquito Abatement and Control District and establishing an effective date.

Motion was made by Councilman Richard Hirschi to approve Resolution R-2016-02; A resolution approving the designation of a representative, Councilwoman Chantelle Browning, to serve on the Southwest Mosquito Abatement and Control District and establishing an effective date, second by Councilman Randy Reeve. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

3. Discussion and possible action to approve Resolution R-2016-03; A resolution approving the designation of a representative (Councilman Richard Hirschi), to serve on the Board of the Hurricane Valley Fire District for the calendar year 2016 or until such time as a successor has been appointed, and establishing an effective date.

Motion was made by Councilwoman Chantelle Browning to approve Resolution R-2016-03; A resolution approving the designation of a representative, Councilman Richard Hirschi, to serve on the Board of the Hurricane Valley Fire District for the calendar year 2016 or until such time as a successor has been appointed, second by Councilman Randy Reeve. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

4. Discussion and possible action to approve Resolution R-2016-04; A resolution approving the designation of a representative (Councilman Ken Hooten), to serve on the Administrative Control Board of the Ash Creek Special Service District for the calendar year 2016 or until such time as a successor has been appointed, and establishing an effective date.

Motion was made by Councilwoman Chantelle Browning to approve Resolution R-2016-04, a resolution approving the designation of a representative, Councilman Ken Hooten, to serve on the Administrative Control Board of the Ash Creek Special Service District for the calendar year 2016 or until such time as a successor has been appointed and establishing an effective date, second by Councilman Richard Hirschi. Roll Call Vote: Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

5. Discussion and possible action in support of approving and/or ratifying
 - a) Proclamation 2016-01: A proclamation to ratify and confirm April 24, 2015 as Arbor Day for the City of La Verkin.

Motion was made by Councilman Ken Hooten to approve Proclamation 2016-01, a proclamation to ratify and confirm April 24, 2015 as Arbor Day for the City of La Verkin, second by Councilwoman Chantelle Browning. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

- b) Proclamation 2016-02; A proclamation designating April 29, 2016 as Arbor Day for the City of La Verkin.

Motion was made by Councilman Ken Hooten to approve Proclamation 2016-02, a proclamation designating April 29, 2016 as Arbor Day for the City of La Verkin, second by Councilman Micah Gubler. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

- 6. Discussion and possible action to approve and/or ratify Work Order No. 2015-01 and the amendment thereto with Sunrise Engineering for culinary water study and possible impact fees for culinary water.

Kyle explained this item had been discussed during a previous meeting. It is the documents allowing the project to move forward.

Kevin explained the City received a grant from the State allowing us to update our Culinary Water Plan. The money was granted and the project began in February. There was money left over that could be used toward the impact fee report. That was when staff realized the original work order was not approved so this will approve the original work order as well as amend it to allow for the impact fee study.

Motion was made by Councilman Richard Hirschi to approve and/or ratify Work Order No. 2015-01 and the amendment thereto with Sunrise Engineering for a culinary water study and possible impact fees for culinary water, second by Councilman Ken Hooten. Roll Call Vote: Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

- 7. Discussion on the Street light presentation by Mark Cram.

Mayor Gubler asked if the Councilmembers would like to pursue this item or think about it longer.

Kyle explained in order to move forward, staff would need to issue an RFP giving anyone interested the opportunity to apply. At that point, the Council would choose a company who would then present their findings.

Staff would like the Councilmembers to be aware doing this will require the City to both purchase a truck and train an employee(s) to work on the streetlights or contract out to have the work done. Mark said that was included in his preliminary draft he presented.

Staff did not want to spend time researching this item if the Council was not interested.

Derek's crew would be required to do all maintenance on the streetlights if the Council chose not to contract it out.

The developer of a new subdivision would be required to put in the streetlights then they would turn them over to the City to maintain.

There was concern from several Councilmembers on the amount of time it would take Derek's crew to maintain the lights.

The Councilmembers did all agree to have Staff look into the idea of purchasing the streetlights.

- 8. Discussion and possible action to:
 - a. Award the bid for the 2016 Road Pavement Preservation Project.
 - b. Award the contract for the 2016 Road Pavement Preservation Project.

The bid opening was held yesterday.

The lowest bid was over the budgeted amount for the project.

Kyle asked if the Councilmembers would like to cut back on the proposed 2016 Road Pavement Preservation project or find the additional money.

Derek said the additional cost includes replacing 500 feet on 300 South to fix where it has settled. This type of work is not normally included in a pavement preservation project but would be cheaper in the end to take care of it now while the crew is on site.

If the project stays on track, by next year with the same amount budgeted, the west side of town would be finished. The east side has been completed. In two years we would be back at the beginning after only 8 years, 7 is the recommended maximum.

Staff recommends finding the additional money.

Kyle explained the procedure for budget amendments.

Councilman Hirschi and Councilman Gubler would like to find the money now, if possible.

Councilwoman Browning feels we need to keep up on maintaining the roads.

Motion was made by Councilman Ken Hooten to award the bid for the 2016 Road Pavement Preservation Project to American Pavement Preservation LLC in the amount of \$88,402.08, second by Councilwoman Chantelle Browning. Roll Call Vote: Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

Motion was made by Councilman Ken Hooten to award the contract for the 2016 Road Pavement Preservation Project to American Pavement Preservation LLC, second by Councilman Richard Hirschi. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

I. Executive Session:

1. Discuss the character, professional competence, or physical or mental health of an individual.

Motion was made by Councilman Richard Hirschi to adjourn to an Executive Session at the location of 111 South Main Street La Verkin Utah for the purpose of discussing the character, professional competence, or physical or mental health of an individual, second by Councilman Micah Gubler. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously at 7:01pm

J. Reconvene from Executive Session:

Motion was made by Councilman Ken Hooten to reconvene from the Executive Session and return to the regular meeting, second by Councilman Richard Hirschi. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously at 7:45pm.

Business:

9. Employment Renewals

- a) Discussion and possible action to (1) reappoint and (2) enter into a new contract with the City Administrator (2-year reappointment); and swearing –in of City Administrator
- b) Discussion, possible action to reappoint, and swearing-in of:
 - City Attorney (2-year reappointment)
 - Director of Public Safety – Police Chief (2-year reappointment)
 - Director of Operations (2-year reappointment)

- Director of Administrative Services (2-year reappointment)

Motion was made by Councilman Richard Hirschi to reappoint and enter into a new 2-year contract with the City Administrator, second by Councilman Ken Hooten. Reeve-yes, Gubler-yes, Hooten-yes, Hirschi-yes, Browning-yes. Motion carried unanimously.

Kyle Gubler was sworn in by the City Treasurer, Troylinn Benson.

Motion was made by Ken Hooten to reappoint and enter into a new 2-year contract with the City Attorney, Director of Public Safety, Director of Operations, and the Director of Administrative Services, second by Councilman Richard Hirschi. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously.

Kyle Gubler, the City Recorder swore in Kevin Bennett-City Attorney, Ben Lee-Director of Public Safety, Derek Imlay-Director of Operations and Troylinn Benson-Director of Administrative Services.

K. Staff. Mayor & Council Reports:

City Administrator-Kyle Gubler

Kyle emailed his report to the Councilmembers.

Winterfest was nice. The weather was good.

Rayn Blair was in charge of the Christmas Eve program that has been a tradition for the last 108 years. She did a great job.

The next event is Founders Day on Saturday, March 19, 2016. The Lieutenant Governor, Spencer Cox is scheduled to speak.

The Easter Egg hunt will be Saturday, March 26.

There has been a utility meeting for the new La Quinta Hotel. Sunrise Engineering is currently reviewing the plans.

Sunset View Subdivision is slowly moving forward.

Staff met with a group of people who have purchased the property by the bridge to hear their ideas on how they would like to develop it.

La Grande's report is attached.

The Water Smart Grant is available again. La Verkin has received this grant before, which is how the electronic water meters were installed.

Kyle explained the two options; one is \$2,500 the other \$3,500. Staff has decided to move forward in applying for the grant for \$2,500. The money has already been included in the budget. Kyle wanted the Council to be aware we may not receive the grant but the money will already have been spent on the project.

Public Safety-Chief Ben Lee

Congratulated Derek on Employee of the Year.

2015 Stats: 1883 incidents which included 152 arrests and 755 citations. Animal Control: 275 animal problems which included 57 impounds, of those 25 were transferred to other organizations, 52 were adopted, 85 redemptions, and 7 euthanasias.

Officer's Crouse and Wolsleger were able to attend training regarding investigations.

Officer Fackler has been receiving field training and the decision was made to discontinue that training, his last day will be January 8. He will continue the search to fill that spot.

Thanked Ms. Branchly for her comments and her assistance in getting the much-needed program for cats. The Animal Control Officer has taken calls for all different types of animals from dogs, cattle, snakes, chickens and even a wallaby. She averages about 20 calls per month for cats and has to tell the citizens there is nothing we can do to help them.

Ms. Branchly has been in contact with the Humane Society Utah, which has awarded La Verkin City a \$2,000 grant to help start a program for cats. He has been discussing different possibilities with Patti, our

Animal Control Officer. We have limited space and work force but they feel a small 6-8 house unit for cats is possible.

The shelter will be having its annual Shot Clinic on February 6th and 27th from 9am-12pm. Dr. Bice will be on the 6th and Dr. Wittwer will be on the 27th.

The Police Department received another Highway Safety Grant for \$5,000 giving us a total of \$12,000 in grants for 2015.

To help with the crosswalk situation, UDOT has set up a radar trailer to see if La Verkin would qualify for the warning lights they put before school zones. UDOT also adjusted the timing of the cross walk.

The crossing guards will be attending training.

Chief reported on a child abuse case in La Verkin.

The Justice Court has designated the third Tuesday of every month as La Verkin's day.

Chief thanked Christy for her help with the GRAMA requests received for the police department.

Councilman Hooten reported UDOT was very helpful and seemed genuinely concerned with the safety of the schoolchildren. They did move the school crossing sign so vehicles could see it.

He had mentioned before that the Director of UDOT seemed uninterested in the concerns brought up by Councilman Hooten, and that appears not to be the case.

Changing the timing of the cross walk has made a positive impact on the situation.

Councilman Reeve mentioned he may have access to an inexpensive concrete building and asked if that could be an option for the cat issue at the animal shelter.

Chief replied he would get with Councilman Reeve and get the details.

Director of Operations-Derek Imlay

The culinary water breaks are slowing down.

Derek explained the details of the latest break, which ended up costing around \$3,000.

The crew will be getting ready for the irrigation water to come back into the system.

Two large irrigation breaks will need to be repaired before March 1.

The crew will also be getting the roads ready for the Road Pavement Preservation project. That will begin next month with the crack sealing and finish with the slurry seal when the temperature starts rising.

Treasurer-Troylinn Benson

Congratulated Derek for receiving Employee of the Year.

She would like the Councilmembers to begin thinking about what will determine hardship for the BluCan Recycling program. The City has been getting people coming in saying they don't want to participate, the opt out deadline has passed. The cans will be delivered the end of January/first of February and the City will begin charging for the program at that point.

There was a brief discussion on the amount of advertising the program received.

Mayor Gubler-The second meeting in January will be cancelled unless the Councilmembers have a pressing business item.

Browning-She passed out the Mosquito Distribution chart. It has the final numbers for the year. There was no West Nile Virus found in La Verkin.

The budget was passed which included a raise for the employees.

She requested the cat issue be on the next agenda.

Hirschi-Nothing to report.

Hooten- Nothing to report.

Gubler-Nothing to report.

Reeve-Nothing to report.

L. Adjourn:

Motion was made by Councilwoman Chantelle Browning to adjourn, second by Councilman Richard Hirschi. Browning-yes, Hirschi-yes, Hooten-yes, Gubler-yes, Reeve-yes. Motion carried unanimously at 8:18pm.

Minutes were taken on behalf of the City Recorder by Christy Ballard.

February 3, 2016
Date Approved

Kerry T. Gubler
Mayor Kerry T. Gubler

ATTEST: Kyle Gubler
Kyle Gubler
City Recorder